IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.BALAKRISHNAN NAIR
&
THE HONOURABLE MR. JUSTICE HARUN-UL-RASHID

FRIDAY, THE 17TH AUGUST 2007 / 26TH SRAVANA 1929

WP(C).No. 15855 of 2007(K)

PETITIONER:

P.A.THOMAS, PLACKAL HOUSE, MALA,
PALLIPPURAM P.O., VIA KODUNGALLUR,
THRISSUR DISTRICT.

BY ADV. SRI.G.HARIHARAN

RESPONDENTS:
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1. **SUB INSPECTOR OF POLICE,**
   THRISSUR EAST POLICE STATION,
   THRISSUR.

2. **MR.FRANCIS, ADDITIONAL SUB INSPECTOR**
   OF POLICE, THRISSUR EAST POLICE STATION,
   THRISSUR.

3. **M/S.SHRIRAM TRANSPORT FINANCE COMPANY**
   LIMITED, ARAFA TOWERS, VELIYANNUR ROAD,
   THRISSUR.

BY GOVERNMENT PLEADER SRI.SALIM P.A.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 17/08/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.BALAKRISHNAN NAIR &
HARUN-UL-RASHID, JJ.

W.P.(C) No.15855 of 2007-K

Dated 17th August, 2007.

JUDGMENT

Balakrishnan Nair, J.

`The petitioner is the registered owner of a goods vehicle bearing registration No.KL-08/AB 2981. The said vehicle was purchased by availing a loan from the Kerala Transport Development and Finance Corporation. The 3rd respondent is its agent. Alleging that respondents 1 and 2 are harassing the petitioner to surrender his vehicle to the 3rd respondent, this writ petition is filed.

2. The learned Government Pleader, upon instructions, submitted that the 3rd respondent has filed a private complaint before the Judicial First Class Magistrate's Court, alleging various offences against the petitioner, which was forwarded to the police under Section 156(3) of the Cr.P.C. So, a crime was registered against him. In connection with the investigation of the crime, the petitioner was summoned to the police station. The allegation of harassment is denied by the official respondents.

3. In the civil dispute between the petitioner and the 3rd respondent regarding the default in the loan account, the police has no power or jurisdiction to interfere. But, of course, as part of the investigation of the criminal case, the police may arrest the petitioner or interrogate him in accordance with law.

The Writ Petition is disposed of as above.

K. BALAKRISHNAN NAIR, JUDGE.

HARUN-UL-RASHID,JUDGE.

nm.